

Exhibit C

From: Jesse Weiss

Sent: Friday, October 18, 2024 11:27 AM

To: White, Brian (ATR) <Brian.White6@usdoj.gov>; Thornburgh, John (ATR) <John.Thornburgh@usdoj.gov>; McLellan, Michael (ATR) <Michael.McLellan@usdoj.gov>; Markel, Arianna (ATR) <Arianna.Markel@usdoj.gov>; Licht, Sarah (ATR) <Sarah.Licht@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; Sweeney, Bonny (ATR) <Bonny.Sweeney@usdoj.gov>; Van Kirk, Lorraine (ATR) <Lorraine.VanKirk@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; rachel.lumen@atg.wa.gov; Douglas.L.Davis@wvago.gov; mcfarlanele@doj.state.wi.us; ann.l.haight@wvago.gov; william.young@wyo.gov; Robert.Bernheim@azag.gov; Connor.Nolan@azag.gov; amanda.wentz@arkansasag.gov; Paula.Gibson@doj.ca.gov; Conor.May@coag.gov; Bryn.Williams@coag.gov; Jon.Sallet@coag.gov; aric.smith@coag.gov; Kim.McGee@ct.gov; Nicole.Demers@ct.gov; Rahul.Darwar@ct.gov; adam.gitlin@dc.gov; cole.niggeman@dc.gov; elizabeth.arthur@dc.gov; liz.brady@myfloridalegal.com; Istrail, Lee <Lee.Istrail@myfloridalegal.com>; Nicole Sarrine <Nicole.Sarrine@myfloridalegal.com>; Tyler.Kovacs@myfloridalegal.com; Richard.Schultz@ilag.gov; Daniel.Betancourt@ilag.gov; swalker@oag.state.md.us; bwarren@oag.state.md.us; ghonick@oag.state.md.us; katherine.krems@mass.gov; evansj@michigan.gov; ComishJ@michigan.gov; ScottL21@michigan.gov; Odette, Elizabeth (MN) <elizabeth.odette@ag.state.mn.us>; Zach.Biesanz@ag.state.mn.us; Moerke, Katherine (MN) <katherine.moerke@ag.state.mn.us>; ltucker@ag.nv.gov; MBadorine@ag.nv.gov; Zachary.A.Frish@doj.nh.gov; Yale.Leber@law.njoag.gov; Isabella.Pitt@law.njoag.gov; Andrew.Esoldi@law.njoag.gov; Jeremy.Kasha@ag.ny.gov; Amy.McFarlane@ag.ny.gov; Elinor.Hoffmann@ag.ny.gov; McGhee, Jasmine (NC) <jmcghee@ncdoj.gov>; SBoyce@ncdoj.gov; Sarah.Mader@ohioago.gov; Trey.Mehrer@ohioago.gov; caleb.smith@oag.ok.gov; Tim.D.Nord@doj.oregon.gov; twertz@attorneygeneral.gov; jbetko@attorneygeneral.gov; jthomson@attorneygeneral.gov; jdonahue@attorneygeneral.gov; mpacella@attorneygeneral.gov; pmeosky@riag.ri.gov; SProvazza@riag.ri.gov; jlibet@scag.gov; danirobertson@scag.gov; sjones@scag.gov; David.McDowell@ag.tn.gov; Hamilton.Millwee@ag.tn.gov; Marilyn.Guirguis@ag.tn.gov; Tyler.Corcoran@ag.tn.gov; kenneth.paxton@oag.texas.gov; Young, Trevor (TX) <Trevor.Young@oag.Texas.Gov>; diamante.smith@oag.texas.gov; thenry@oag.state.va.us; DSmith@oag.state.va.us; CCrenshaw@oag.state.va.us

Cc: David Marriott <dmarriott@cravath.com>; Lauren Moskowitz <LMoskowitz@cravath.com>; Nicole Peles <npeles@cravath.com>; al.pfeiffer@lw.com; leah.wisser@lw.com; Robin.Gushman@lw.com; Tim.O'Mara@LW.com; kelly.fayne@lw.com; Andrew.Gass@lw.com; lindsey.champlin@lw.com

Subject: RE: U.S. v. Live Nation - Protective Order

Brian,

Thanks for the follow up. As discussed, we need to be able to disclose to Defendants information about what former or current employees of Defendants are alleged to have said or done where the information derives from documents designated confidential or highly confidential. The court made clear at the September 27th hearing that Defendants should be able to disclose that type of information to current or former employees of Defendants in order to investigate the relevant facts and prepare their defenses. As to your proposed language, I'm not sure what "anticompetitive retaliation" means, but in addressing this

point the court did not in any way indicate that we'd be limited to disclosing only a narrow category of allegations about Defendants' conduct. To the contrary, the court addressed allegations of threats and "comments" generally, and as to that, did so by way of example only of the types of information pertaining to alleged conduct or communications by defendants that we should be able to disclose in order to investigate the facts and fully prepare our defenses (See, e.g., Transcript at 66 ("You just want to be able to say that if there was a threat of retaliation or some comment made, you want to be able to talk about that to potentially the people who made those comments without inadvertently violating the protective order. I mean, that's an example"); Transcript at 69 ("You don't have a problem with, let's say you've got all these documents and there's some allegations of threats, for instance. OK? You don't have a problem with Mr. Weiss going to his client and saying, OK, look, there's been a suggestion that you made threats to this venue and tell us about that. You don't have any issue with that. That's not violating the confidentiality order despite the fact that information is coming out of one of these documents.")).

It is also unworkable and unnecessary to limit our ability to disclose this type of information to an employee of Defendants only if we have a good faith belief that the specific employee engaged in the conduct in question. As you know, it is not always clear from the documents which individuals at Defendants purportedly were involved in the relevant events. We need to be able to disclose allegations of conduct, conversations or actions by Defendants to anyone at Defendants who may have been involved in or otherwise have information pertaining to the relevant events, as well as to in-house counsel to enable Defendants to conduct the investigatory and preparatory work required to defend this case. There is no good reason to limit disclosure in the very narrow way you've proposed, which will unnecessarily hamper our ability to fully investigate the facts and defend the case. And we need to be able to disclose relevant details such as dates where that information is available. None of that is highly competitively or commercially sensitive, as the court recognized (Transcript at 62 ("But what's confidential about that? I mean I understand that it's potentially incendiary, but what's confidential about that? What counsel is saying, just to kind of frame things, as I understand it, is that you're not saying -- I don't see how it would fall into the highly confidential category, but even as to the more general confidentiality, if there's no pricing information, terms of contract, things that a competitor would not want to be exposed to Live Nation because of the competitive nature of their relationship, then the question is just whether there's confidentiality properly applied to those documents. And so I'm not understanding what the confidentiality issue is.")).

As for our proposed language, the language we drafted is narrowly tailored to address exactly the type of information the court indicated we should be able to disclose -- *i.e.*, reports of alleged conduct, conversations or actions by Defendants. By contrast, the language Plaintiffs proposed indicates Plaintiffs have in mind something far more restrictive than is necessary or appropriate, and not in line with the Court's guidance. Given that, we are inclined to propose the amendment as we have drafted it.

Please let us know your position before close of business today. If you think it would be productive to hold another meet and confer on our proposal in light of the foregoing, we can be available to do that at the end of the scheduled 4pm ET meet and confer.

Best regards,
Jesse

From: White, Brian (ATR) <Brian.White6@usdoj.gov>

Sent: Thursday, October 17, 2024 2:42 PM

To: Jesse Weiss <jweiss@cravath.com>; Thornburgh, John (ATR) <John.Thornburgh@usdoj.gov>; McLellan, Michael (ATR) <Michael.McLellan@usdoj.gov>; Markel, Arianna (ATR) <Arianna.Markel@usdoj.gov>; Licht, Sarah (ATR) <Sarah.Licht@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; Sweeney, Bonny (ATR) <Bonny.Sweeney@usdoj.gov>; Van Kirk, Lorraine (ATR) <Lorraine.VanKirk@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; rachel.lumen@atg.wa.gov; Douglas.L.Davis@wvago.gov; mcfarlanele@doj.state.wi.us; ann.l.haight@wvago.gov; william.young@wyo.gov; Robert.Bernheim@azag.gov; Connor.Nolan@azag.gov; amanda.wentz@arkansasag.gov; Paula.Gibson@doj.ca.gov; Conor.May@coag.gov; Bryn.Williams@coag.gov; Jon.Sallet@coag.gov; aric.smith@coag.gov; Kim.McGee@ct.gov; Nicole.Demers@ct.gov; Rahul.Darwar@ct.gov; adam.gitlin@dc.gov; cole.niggeman@dc.gov; elizabeth.arthur@dc.gov; liz.brady@myfloridalegal.com; Istrail, Lee <Lee.Istrail@myfloridalegal.com>; Nicole Sarrine <Nicole.Sarrine@myfloridalegal.com>; Tyler.Kovacs@myfloridalegal.com; Richard.Schultz@ilag.gov; Daniel.Betancourt@ilag.gov; swalker@oag.state.md.us; bwarren@oag.state.md.us; ghonick@oag.state.md.us; katherine.krems@mass.gov; evansj@michigan.gov; ComishJ@michigan.gov; ScottL21@michigan.gov; Odette, Elizabeth (MN) <elizabeth.odette@ag.state.mn.us>; Zach.Biesanz@ag.state.mn.us; Moerke, Katherine (MN) <katherine.moerke@ag.state.mn.us>; ltucker@ag.nv.gov; MBadorine@ag.nv.gov; Zachary.A.Frish@doj.nh.gov; Yale.Leber@law.njoag.gov; Isabella.Pitt@law.njoag.gov; Andrew.Esoldi@law.njoag.gov; Jeremy.Kasha@ag.ny.gov; Amy.McFarlane@ag.ny.gov; Elinor.Hoffmann@ag.ny.gov; McGhee, Jasmine (NC) <jmcghee@ncdoj.gov>; SBoyce@ncdoj.gov; Sarah.Mader@ohioago.gov; Trey.Mehrer@ohioago.gov; caleb.smith@oag.ok.gov; Tim.D.Nord@doj.oregon.gov; twertz@attorneygeneral.gov; jbetsko@attorneygeneral.gov; jthomson@attorneygeneral.gov; jdonahue@attorneygeneral.gov; mpacella@attorneygeneral.gov; pmeosky@riag.ri.gov; SProvazza@riag.ri.gov; jlibet@scag.gov; danirobertson@scag.gov; sjones@scag.gov; David.McDowell@ag.tn.gov; Hamilton.Millwee@ag.tn.gov; Marilyn.Guirguis@ag.tn.gov; Tyler.Corcoran@ag.tn.gov; kenneth.paxton@oag.texas.gov; Young, Trevor (TX) <Trevor.Young@oag.Texas.Gov>; diamante.smith@oag.texas.gov; thenry@oag.state.va.us; DSmith@oag.state.va.us; CCrenshaw@oag.state.va.us

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Subject: RE: U.S. v. Live Nation - Protective Order

External (brian.white6@usdoj.gov)

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Jesse:

Thank you for your e-mail. We promised to get back to you on two issues: (1) whether Plaintiffs would agree to an amendment to the Protective Order, and (2) what language would be agreeable to Plaintiffs. I can confirm that Plaintiffs will agree to an amendment provided Plaintiffs and Defendants can agree on language that adequately protects the Confidential and Highly Confidential materials of non-parties.

Will you please answer two questions:

- Plaintiffs believe our proposed language is more in-line with the guidance provided by the Court and would, as narrowly tailored, protect the Highly Confidential and Confidential materials of non-parties. Conversely, your proposed language is overly broad. What guidance do you believe the Court gave during the September 2024 Discovery Conference that is inconsistent with the language Plaintiffs have proposed?
- Is the proposed language in your October 9 e-mail a "take-it-or-leave-it" proposal? Or is there any benefit to meeting and conferring in an effort to compromise now that both Parties have seen each other's proposed language?

If the language in your October 9 e-mail is “take-it-or-leave-it,” please let us know that today and we will have a final response for you by the end of day tomorrow, October 18, 2024. If not, please let us know your availability to meet and confer tomorrow (October 18) and Monday (October 21).

Thank you,

Brian

Brian A. White
+1 (202) 826-8795 (cell)

From: Jesse Weiss <jweiss@cravath.com>

Sent: Wednesday, October 16, 2024 10:21 PM

To: White, Brian (ATR) <Brian.White6@usdoj.gov>; Thornburgh, John (ATR) <John.Thornburgh@usdoj.gov>; McLellan, Michael (ATR) <Michael.McLellan@usdoj.gov>; Markel, Arianna (ATR) <Arianna.Markel@usdoj.gov>; Licht, Sarah (ATR) <Sarah.Licht@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; Sweeney, Bonny (ATR) <Bonny.Sweeney@usdoj.gov>; Van Kirk, Lorraine (ATR) <Lorraine.VanKirk@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; rachel.lumen@atg.wa.gov; Douglas.L.Davis@wvago.gov; mcfarlanele@doj.state.wi.us; ann.l.haight@wvago.gov; william.young@wyo.gov; Robert.Bernheim@azag.gov; Connor.Nolan@azag.gov; amanda.wentz@arkansasag.gov; Paula.Gibson@doj.ca.gov; Conor.May@coag.gov; Bryn.Williams@coag.gov; Jon.Sallet@coag.gov; aric.smith@coag.gov; Kim.McGee@ct.gov; Nicole.Demers@ct.gov; Rahul.Darwar@ct.gov; adam.gitlin@dc.gov; cole.niggeman@dc.gov; elizabeth.arthur@dc.gov; liz.brady@myfloridalegal.com; Istrail, Lee <Lee.Istrail@myfloridalegal.com>; Nicole Sarrine <Nicole.Sarrine@myfloridalegal.com>; Tyler.Kovacs@myfloridalegal.com; Richard.Schultz@ilag.gov; Daniel.Betancourt@ilag.gov; swalker@oag.state.md.us; bwarren@oag.state.md.us; ghonick@oag.state.md.us; katherine.krems@mass.gov; evansj@michigan.gov; ComishJ@michigan.gov; ScottL21@michigan.gov; Odette, Elizabeth (MN) <elizabeth.odette@ag.state.mn.us>; Zach.Biesanz@ag.state.mn.us; Moerke, Katherine (MN) <katherine.moerke@ag.state.mn.us>; ltucker@ag.nv.gov; MBadorine@ag.nv.gov; Zachary.A.Frish@doj.nh.gov; Yale.Leber@law.njoag.gov; Isabella.Pitt@law.njoag.gov; Andrew.Esoldi@law.njoag.gov; Jeremy.Kasha@ag.ny.gov; Amy.McFarlane@ag.ny.gov; Elinor.Hoffmann@ag.ny.gov; McGhee, Jasmine (NC) <jmcghee@ncdoj.gov>; SBoyce@ncdoj.gov; Sarah.Mader@ohioago.gov; Trey.Mehrer@ohioago.gov; caleb.smith@oag.ok.gov; Tim.D.Nord@doj.oregon.gov; twertz@attorneygeneral.gov; jbetsko@attorneygeneral.gov; jthomson@attorneygeneral.gov; jdonahue@attorneygeneral.gov; mpacella@attorneygeneral.gov; pmeosky@riag.ri.gov; SProvazza@riag.ri.gov; jlibet@scag.gov; danirobertson@scag.gov; sjones@scag.gov; David.McDowell@ag.tn.gov; Hamilton.Millwee@ag.tn.gov; Marilyn.Guirguis@ag.tn.gov; Tyler.Corcoran@ag.tn.gov; kenneth.paxton@oag.texas.gov; Young, Trevor (TX) <Trevor.Young@oag.Texas.Gov>; diamante.smith@oag.texas.gov; thenry@oag.state.va.us; DSmith@oag.state.va.us; CCrenshaw@oag.state.va.us

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Subject: [EXTERNAL] RE: U.S. v. Live Nation - Protective Order

Brian,

Thanks for your note. We don't believe your alternative is workable or consistent with the Court's guidance at the September 27th hearing. Defendants intend to propose the amendment language from my October 9 email. Please advise whether Plaintiffs will oppose our request.

Thanks,
Jesse

From: White, Brian (ATR) <Brian.White6@usdoj.gov>

Sent: Tuesday, October 15, 2024 9:00 PM

To: Jesse Weiss <jweiss@cravath.com>; Thornburgh, John (ATR) <John.Thornburgh@usdoj.gov>; McLellan, Michael (ATR) <Michael.McLellan@usdoj.gov>; Markel, Arianna (ATR) <Arianna.Markel@usdoj.gov>; Licht, Sarah (ATR) <Sarah.Licht@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; Sweeney, Bonny (ATR) <Bonny.Sweeney@usdoj.gov>; Van Kirk, Lorraine (ATR) <Lorraine.VanKirk@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; rachel.lumen@atg.wa.gov; Douglas.L.Davis@wvago.gov; mcfarlanele@doj.state.wi.us; ann.l.haight@wvago.gov; william.young@wyo.gov; Robert.Bernheim@azag.gov; Connor.Nolan@azag.gov; amanda.wentz@arkansasag.gov; Paula.Gibson@doj.ca.gov; Conor.May@coag.gov; Bryn.Williams@coag.gov; Jon.Sallet@coag.gov; aric.smith@coag.gov; Kim.McGee@ct.gov; Nicole.Demers@ct.gov; Rahul.Darwar@ct.gov; adam.gitlin@dc.gov; cole.niggeman@dc.gov; elizabeth.arthur@dc.gov; liz.brady@myfloridalegal.com; Istrail, Lee <Lee.Istrail@myfloridalegal.com>; Nicole Sarrine <Nicole.Sarrine@myfloridalegal.com>; Tyler.Kovacs@myfloridalegal.com; Richard.Schultz@ilag.gov; Daniel.Betancourt@ilag.gov; swalker@oag.state.md.us; bwarren@oag.state.md.us; ghonick@oag.state.md.us; katherine.krems@mass.gov; evansj@michigan.gov; ComishJ@michigan.gov; ScottL21@michigan.gov; Odette, Elizabeth (MN) <elizabeth.odette@ag.state.mn.us>; Zach.Biesanz@ag.state.mn.us; Moerke, Katherine (MN) <katherine.moerke@ag.state.mn.us>; ltucker@ag.nv.gov; MBadorine@ag.nv.gov; Zachary.A.Frish@doj.nh.gov; Yale.Leber@law.njoag.gov; Isabella.Pitt@law.njoag.gov; Andrew.Esoldi@law.njoag.gov; Jeremy.Kasha@ag.ny.gov; Amy.McFarlane@ag.ny.gov; Elinor.Hoffmann@ag.ny.gov; McGhee, Jasmine (NC) <jmcghee@ncdoj.gov>; SBoyce@ncdoj.gov; Sarah.Mader@ohioago.gov; Trey.Mehrer@ohioago.gov; caleb.smith@oag.ok.gov; Tim.D.Nord@doj.oregon.gov; twertz@attorneygeneral.gov; jbetsko@attorneygeneral.gov; jthomson@attorneygeneral.gov; jdonahue@attorneygeneral.gov; mpacella@attorneygeneral.gov; pmeosky@riag.ri.gov; SProvazza@riag.ri.gov; jlibet@scag.gov; danirobertson@scag.gov; sjones@scag.gov; David.McDowell@ag.tn.gov; Hamilton.Millwee@ag.tn.gov; Marilyn.Guirguis@ag.tn.gov; Tyler.Corcoran@ag.tn.gov; kenneth.paxton@oag.texas.gov; Young, Trevor (TX) <Trevor.Young@oag.Texas.Gov>; diamante.smith@oag.texas.gov; thenry@oag.state.va.us; DSmith@oag.state.va.us; CCrenshaw@oag.state.va.us

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Subject: RE: U.S. v. Live Nation - Protective Order

Jesse: Further to our discussion on today's meet and confer call, Plaintiffs are considering Defendants' request for an amendment to the Protective Order. This includes the question of whether an amendment is necessary and, if so, what language would be acceptable to Plaintiffs.

Meanwhile, in the interest of keeping the discussion moving, please find below some proposed language prepared by Plaintiffs. Any agreement to amend the Protective Order and/or the language for such an amendment remains subject to further approval on our end.

Also, there was some discussion this afternoon concerning the date for the next Discovery Conference with the Court. Plaintiffs understand that the next Discovery Conference will take place by telephone on October 29, 2024, at 4:00 p.m. Eastern Time, per today's Scheduling Order.

Plaintiffs' proposed language is as follows:

For the avoidance of doubt, in order to address evidence contained in Confidential or Highly Confidential Discovery Material or Investigation Material of allegations of anticompetitive retaliation, outside counsel for Defendants retained specifically for this action, may discuss the subject-matter of Confidential or Highly Confidential Discovery Material or Investigation Material with an employee of Defendant who (a) is named with specificity in a document, (b) received or sent a document, or (c) who outside counsel for Defendants have a good faith belief is an employee alleged to have engaged in the conduct referenced in a document. Outside counsel for Defendants may not:

1. show any Confidential or Highly Confidential Discovery Material or Investigation Material to defendants' employees or
2. disclose any identifiers from the Confidential or Highly Confidential Discovery Material or Investigation Material to employees, including the source, date, or subject line.

Thank you,

Brian

Brian A. White

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From: Jesse Weiss <jweiss@cravath.com>

Sent: Monday, October 14, 2024 1:54 PM

To: Thornburgh, John (ATR) <John.Thornburgh@usdoj.gov>; McLellan, Michael (ATR) <Michael.McLellan@usdoj.gov>; Markel, Arianna (ATR) <Arianna.Markel@usdoj.gov>; Licht, Sarah (ATR) <Sarah.Licht@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; Sweeney, Bonny (ATR) <Bonny.Sweeney@usdoj.gov>; Van Kirk, Lorraine (ATR) <Lorraine.VanKirk@usdoj.gov>; White, Brian (ATR) <Brian.White6@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; rachel.lumen@atg.wa.gov; Douglas.L.Davis@wvago.gov; mcfarlanele@doj.state.wi.us; ann.l.haight@wvago.gov; william.young@wyo.gov; Robert.Bernheim@azag.gov; Connor.Nolan@azag.gov; amanda.wentz@arkansasag.gov; Paula.Gibson@doj.ca.gov; Conor.May@coag.gov; Bryn.Williams@coag.gov; Jon.Sallet@coag.gov; aric.smith@coag.gov; Kim.McGee@ct.gov; Nicole.Demers@ct.gov; Rahul.Darwar@ct.gov; adam.gitlin@dc.gov; cole.niggeman@dc.gov; elizabeth.arthur@dc.gov; liz.brady@myfloridalegal.com; Istrail, Lee <Lee.Istrail@myfloridalegal.com>; Nicole Sarrine <Nicole.Sarrine@myfloridalegal.com>; Tyler.Kovacs@myfloridalegal.com; Richard.Schultz@ilag.gov; Daniel.Betancourt@ilag.gov; swalker@oag.state.md.us; bwarren@oag.state.md.us; ghonick@oag.state.md.us; katherine.krems@mass.gov; evansj@michigan.gov; ComishJ@michigan.gov; ScottL21@michigan.gov; Odette, Elizabeth (MN) <elizabeth.odette@ag.state.mn.us>; Zach.Biesanz@ag.state.mn.us; Moerke, Katherine (MN) <katherine.moerke@ag.state.mn.us>; ltucker@ag.nv.gov; MBadorine@ag.nv.gov; Zachary.A.Frish@doj.nh.gov; Yale.Leber@law.njoag.gov; Isabella.Pitt@law.njoag.gov; Andrew.Esoldi@law.njoag.gov; Jeremy.Kasha@ag.ny.gov; Amy.McFarlane@ag.ny.gov; Elinor.Hoffmann@ag.ny.gov; McGhee, Jasmine (NC) <jmcghee@ncdoj.gov>; SBoyce@ncdoj.gov; Sarah.Mader@ohioago.gov; Trey.Mehrer@ohioago.gov; caleb.smith@oag.ok.gov; Tim.D.Nord@doj.oregon.gov; twertz@attorneygeneral.gov; jbetko@attorneygeneral.gov; jthomson@attorneygeneral.gov; jdonahue@attorneygeneral.gov; mpacella@attorneygeneral.gov; pmeosky@riag.ri.gov; SProvazza@riag.ri.gov; jlibet@scag.gov; danirobertson@scag.gov; sjones@scag.gov; David.McDowell@ag.tn.gov; Hamilton.Millwee@ag.tn.gov; Marilyn.Guirguis@ag.tn.gov; Tyler.Corcoran@ag.tn.gov; kenneth.paxton@oag.texas.gov; Young, Trevor (TX) <Trevor.Young@oag.Texas.Gov>; diamante.smith@oag.texas.gov; thenry@oag.state.va.us; DSmith@oag.state.va.us; CCrenshaw@oag.state.va.us

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Subject: [EXTERNAL] RE: U.S. v. Live Nation - Protective Order

5pm ET tomorrow is good for Defendants. We'll send a scheduler.

Thanks,

Jesse

From: Thornburgh, John (ATR) <John.Thornburgh@usdoj.gov>

Sent: Monday, October 14, 2024 1:05 PM

To: Jesse Weiss <jweiss@cravath.com>; McLellan, Michael (ATR) <Michael.McLellan@usdoj.gov>; Markel, Arianna (ATR)

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Cc: David Marriott <dmariott@cravath.com>; Lauren Moskowitz <LMoskowitz@cravath.com>; Nicole Peles <npeles@cravath.com>; al.pfeiffer@lw.com; leah.wisser@lw.com; Robin.Gushman@lw.com; Tim.O'Mara@LW.com; kelly.fayne@lw.com; Andrew.Gass@lw.com; lindsey.champlin@lw.com
Subject: RE: U.S. v. Live Nation - Protective Order

Jesse,

Unfortunately, we are not available for a lead trial counsel meet and confer between 2-3:30 PM ET tomorrow. We are available tomorrow for a lead trial counsel meet and confer after 5 PM ET.

Thanks,

John

From: Jesse Weiss <jweiss@cravath.com>

Sent: Friday, October 11, 2024 10:02 AM

To: Thornburgh, John (ATR) <John.Thornburgh@usdoj.gov>; McLellan, Michael (ATR) <Michael.McLellan@usdoj.gov>; Markel, Arianna (ATR) <Arianna.Markel@usdoj.gov>; Licht, Sarah (ATR) <Sarah.Licht@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; Sweeney, Bonny (ATR) <Bonny.Sweeney@usdoj.gov>; Van Kirk, Lorraine (ATR) <Lorraine.VanKirk@usdoj.gov>; White, Brian (ATR) <Brian.White6@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; rachel.lumen@atg.wa.gov; Douglas.L.Davis@wvago.gov; mcfarlanele@doj.state.wi.us; ann.l.haight@wvago.gov; william.young@wyo.gov; Robert.Bernheim@azag.gov; Connor.Nolan@azag.gov; amanda.wentz@arkansasag.gov; Paula.Gibson@doj.ca.gov; Conor.May@coag.gov; Bryn.Williams@coag.gov; Jon.Sallet@coag.gov; aric.smith@coag.gov; Kim.McGee@ct.gov; Nicole.Demers@ct.gov; Rahul.Darwar@ct.gov; adam.gitlin@dc.gov; cole.niggeman@dc.gov; elizabeth.arthur@dc.gov; liz.bradley@myfloridalegal.com; Istrail, Lee <Lee.Istrail@myfloridalegal.com>; Nicole Sarrine <Nicole.Sarrine@myfloridalegal.com>; Tyler.Kovacs@myfloridalegal.com; Richard.Schultz@ilag.gov; Daniel.Betancourt@ilag.gov; swalker@oag.state.md.us; bwarren@oag.state.md.us; ghonick@oag.state.md.us; katherine.krems@mass.gov; evansj@michigan.gov; ComishJ@michigan.gov; ScottL21@michigan.gov; Odette, Elizabeth (MN) <elizabeth.odette@ag.state.mn.us>;

Zach.Biesanz@ag.state.mn.us; Moerke, Katherine (MN) <katherine.moerke@ag.state.mn.us>; ltucker@ag.nv.gov; MBadorine@ag.nv.gov; Zachary.A.Frish@doj.nh.gov; Yale.Leber@law.njoag.gov; Isabella.Pitt@law.njoag.gov; Andrew.Esoldi@law.njoag.gov; Jeremy.Kasha@ag.ny.gov; Amy.McFarlane@ag.ny.gov; Elinor.Hoffmann@ag.ny.gov; McGhee, Jasmine (NC) <jmcghee@ncdoj.gov>; SBoyce@ncdoj.gov; Sarah.Mader@ohioago.gov; Trey.Mehrer@ohioago.gov; caleb.smith@oag.ok.gov; Tim.D.Nord@doj.oregon.gov; twertz@attorneygeneral.gov; jbetsko@attorneygeneral.gov; jthomson@attorneygeneral.gov; jdonahue@attorneygeneral.gov; mpacella@attorneygeneral.gov; pmeosky@riag.ri.gov; SProvazza@riag.ri.gov; jlibet@scag.gov; danirobertson@scag.gov; sjones@scag.gov; David.McDowell@ag.tn.gov; Hamilton.Millwee@ag.tn.gov; Marilyn.Guirguis@ag.tn.gov; Tyler.Corcoran@ag.tn.gov; kenneth.paxton@oag.texas.gov; Young, Trevor (TX) <Trevor.Young@oag.Texas.Gov>; diamante.smith@oag.texas.gov; thenry@oag.state.va.us; DSmith@oag.state.va.us; CCrenshaw@oag.state.va.us

Cc: David Marriott <dmarriott@cravath.com>; Lauren Moskowitz <LMoskowitz@cravath.com>; Nicole Peles <npeles@cravath.com>; al.pfeiffer@lw.com; leah.wisser@lw.com; Robin.Gushman@lw.com; Tim.O'Mara@LW.com; kelly.fayne@lw.com; Andrew.Gass@lw.com; lindsey.champlin@lw.com

Subject: [EXTERNAL] RE: U.S. v. Live Nation - Protective Order

John,

We'll look for Plaintiffs' response on Tuesday. If a lead counsel meet and confer is needed in light of Plaintiffs' response, we're available Tuesday from 2-330pm ET. Please let us know if there's a time in that window that works for Plaintiffs and we can hold that time.

Thanks,
Jesse

From: Thornburgh, John (ATR) <John.Thornburgh@usdoj.gov>

Sent: Thursday, October 10, 2024 5:44 PM

To: Jesse Weiss <jweiss@cravath.com>; McLellan, Michael (ATR) <Michael.McLellan@usdoj.gov>; Markel, Arianna (ATR) <Arianna.Markel@usdoj.gov>; Licht, Sarah (ATR) <Sarah.Licht@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; Sweeney, Bonny (ATR) <Bonny.Sweeney@usdoj.gov>; Van Kirk, Lorraine (ATR) <Lorraine.VanKirk@usdoj.gov>; White, Brian (ATR) <Brian.White6@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; rachel.lumen@atg.wa.gov; Douglas.L.Davis@wvago.gov; mcfarlanele@doj.state.wi.us; ann.l.haight@wvago.gov; william.young@wyo.gov; Robert.Bernheim@azag.gov; Connor.Nolan@azag.gov; amanda.wentz@arkansasag.gov; Paula.Gibson@doj.ca.gov; Conor.May@coag.gov; Bryn.Williams@coag.gov; Jon.Sallet@coag.gov; aric.smith@coag.gov; Kim.McGee@ct.gov; Nicole.Demers@ct.gov; Rahul.Darwar@ct.gov; adam.gitlin@dc.gov; cole.niggeman@dc.gov; elizabeth.arthur@dc.gov; liz.bradly@myfloridalegal.com; Istrail, Lee <Lee.Istrail@myfloridalegal.com>; Nicole Sarrine <Nicole.Sarrine@myfloridalegal.com>; Tyler.Kovacs@myfloridalegal.com; Richard.Schultz@ilag.gov; Daniel.Betancourt@ilag.gov; swalker@oag.state.md.us; bwarren@oag.state.md.us; gthonick@oag.state.md.us; katherine.krems@mass.gov; evansj@michigan.gov; ComishJ@michigan.gov; ScottL21@michigan.gov; Odette, Elizabeth (MN) <elizabeth.odette@ag.state.mn.us>; Zach.Biesanz@ag.state.mn.us; Moerke, Katherine (MN) <katherine.moerke@ag.state.mn.us>; ltucker@ag.nv.gov; MBadorine@ag.nv.gov; Zachary.A.Frish@doj.nh.gov; Yale.Leber@law.njoag.gov; Isabella.Pitt@law.njoag.gov; Andrew.Esoldi@law.njoag.gov; Jeremy.Kasha@ag.ny.gov; Amy.McFarlane@ag.ny.gov; Elinor.Hoffmann@ag.ny.gov; McGhee, Jasmine (NC) <jmcghee@ncdoj.gov>; SBoyce@ncdoj.gov; Sarah.Mader@ohioago.gov; Trey.Mehrer@ohioago.gov; caleb.smith@oag.ok.gov; Tim.D.Nord@doj.oregon.gov; twertz@attorneygeneral.gov; jbetsko@attorneygeneral.gov; jthomson@attorneygeneral.gov; jdonahue@attorneygeneral.gov; mpacella@attorneygeneral.gov; pmeosky@riag.ri.gov; SProvazza@riag.ri.gov; jlibet@scag.gov; danirobertson@scag.gov; sjones@scag.gov; David.McDowell@ag.tn.gov; Hamilton.Millwee@ag.tn.gov; Marilyn.Guirguis@ag.tn.gov; Tyler.Corcoran@ag.tn.gov; kenneth.paxton@oag.texas.gov; Young, Trevor (TX) <Trevor.Young@oag.Texas.Gov>; diamante.smith@oag.texas.gov; thenry@oag.state.va.us; DSmith@oag.state.va.us; CCrenshaw@oag.state.va.us

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kelly.fayne@lw.com; Andrew.Gass@lw.com; lindsey.champlin@lw.com

Subject: RE: U.S. v. Live Nation - Protective Order

Jesse,

Plaintiffs are evaluating Defendants' proposed language, and we can agree to get back to you on Tuesday, as Monday is a federal holiday. We need to run this by various internal stakeholders. While we think it would be most useful to schedule a call next week after Plaintiffs provide a response to Defendants' proposal, we are available for a lead trial counsel meet and confer at 11 AM ET tomorrow.

Thanks,

John

From: Jesse Weiss <jweiss@cravath.com>

Sent: Wednesday, October 9, 2024 8:28 PM

To: Thornburgh, John (ATR) <John.Thornburgh@usdoj.gov>; McLellan, Michael (ATR) <Michael.McLellan@usdoj.gov>; Markel, Arianna (ATR) <Arianna.Markel@usdoj.gov>; Licht, Sarah (ATR) <Sarah.Licht@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; Sweeney, Bonny (ATR) <Bonny.Sweeney@usdoj.gov>; Van Kirk, Lorraine (ATR) <Lorraine.VanKirk@usdoj.gov>; White, Brian (ATR) <Brian.White6@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; rachel.lumen@atg.wa.gov; Douglas.L.Davis@wvago.gov; mcfarlanele@doj.state.wi.us; ann.l.haight@wvago.gov; william.young@wyo.gov; Robert.Bernheim@azag.gov; Connor.Nolan@azag.gov; amanda.wentz@arkansasag.gov; Paula.Gibson@doj.ca.gov; Conor.May@coag.gov; Bryn.Williams@coag.gov; Jon.Sallet@coag.gov; aric.smith@coag.gov; Kim.McGee@ct.gov; Nicole.Demers@ct.gov; Rahul.Darwar@ct.gov; adam.gitlin@dc.gov; cole.niggeman@dc.gov; elizabeth.arthur@dc.gov; liz.brady@myfloridalegal.com; Istrail, Lee <Lee.Istrail@myfloridalegal.com>; Nicole Sarrine <Nicole.Sarrine@myfloridalegal.com>; Tyler.Kovacs@myfloridalegal.com; Richard.Schultz@ilag.gov; Daniel.Betancourt@ilag.gov; swalker@oag.state.md.us; bwarren@oag.state.md.us; ghonick@oag.state.md.us; katherine.krems@mass.gov; evansj@michigan.gov; ComishJ@michigan.gov; ScottL21@michigan.gov; Odette, Elizabeth (MN) <elizabeth.odette@ag.state.mn.us>; Zach.Biesanz@ag.state.mn.us; Moerke, Katherine (MN) <katherine.moerke@ag.state.mn.us>; ltucker@ag.nv.gov; MBadorine@ag.nv.gov; Zachary.A.Frish@doj.nh.gov; Yale.Leber@law.njoag.gov; Isabella.Pitt@law.njoag.gov; Andrew.Esoldi@law.njoag.gov; Jeremy.Kasha@ag.ny.gov; Amy.McFarlane@ag.ny.gov; Elinor.Hoffmann@ag.ny.gov; McGhee, Jasmine (NC) <jmcghee@ncdoj.gov>; SBoyce@ncdoj.gov; Sarah.Mader@ohioago.gov; Trey.Mehrer@ohioago.gov; caleb.smith@oag.ok.gov; Tim.D.Nord@doj.oregon.gov; twertz@attorneygeneral.gov; [jbetsko@attorneygeneral.gov](mailto:jbetko@attorneygeneral.gov); jthomson@attorneygeneral.gov; jdonahue@attorneygeneral.gov; mpacella@attorneygeneral.gov; pmeosky@riag.ri.gov; SProvazza@riag.ri.gov; jlibet@scag.gov; danirobertson@scag.gov; sjones@scag.gov; David.McDowell@ag.tn.gov; Hamilton.Millwee@ag.tn.gov; Marilyn.Guirguis@ag.tn.gov; Tyler.Corcoran@ag.tn.gov; kenneth.paxton@oag.texas.gov; Young, Trevor (TX) <Trevor.Young@oag.Texas.Gov>; diamante.smith@oag.texas.gov; thenry@oag.state.va.us; DSmith@oag.state.va.us; CCrenshaw@oag.state.va.us

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Subject: [EXTERNAL] U.S. v. Live Nation - Protective Order

Counsel,

Please see below language Defendants intend to request that the Court add to the Protective Order, consistent with the Court's guidance at the September 27th hearing. Please advise whether Plaintiffs intend to oppose this request, and, if so, your availability this Friday for a lead counsel meet and confer on this issue.

Proposed language: *For the avoidance of doubt, nothing in the Protective Order shall preclude Defendants from revealing to current or former employees of Defendants the substance of reports of alleged conduct, conversations, or actions involving Defendants (or Defendants' employees), regardless of whether the substance of such reports appears in or derives from documents that were designated as Confidential or Highly Confidential under the Protective Order.*

Best regards,
Jesse

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